Slaughter v. Jones Day
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EXHIBIT B

PART 1

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AVA SLAUGHTER,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	CIVIL ACTION NO. H-05-3455
	)	
JONES DAY,	)	
	)	
Defendant.	)	

****

ORAL DEPOSITION OF

KEVIN PAUL RICHARDSON

JULY 12, 2006

****

ORAL DEPOSITION OF KEVIN PAUL RICHARDSON, produced as a witness at the instance of the Plaintiff and duly sworn, was taken in the above-styled and numbered cause on the 12th day of July, 2006, from 10:15 a.m. to 4:42 p.m., before Lori Childers, Certified Shorthand Reporter in and for the State of Texas, reported by computerized stenotype machine at the offices of Fulbright & Jaworski, L.L.P., 1301 McKinney, Suite 5100, Houston, Texas 77010-3095, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

CONDENSED TRANSCRIPT

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ALSO PRESENT:
Ava Slaughter

(Richardson Exhibit No. 1 marked.)
MR. PADGETT: If you'll just swear in the witness, we're just doing this by the Rules.
KEVIN PAUL RICHARDSON,
having been first duly sworn, testified as follows:
EXAMINATION
BY MR. PADGETT:
Q. Would you please tell us your full name?
A. Kevin Paul Richardson.
Q. Mr. Richardson, I'm going to hand you what has been marked as Exhibit 1 to your deposition (indicating).
And I apologize for the nature of the copy. It's a little bit cut off. But this is the best one I've received from the defendants.
It is a document which is Bates labeled -- it's in two pages -- Bates labeled 0021 (sic), with the appellation Jones Day, and 00211, so 210 and 211.
If you'll take a moment to read through that, please.
MR. PADGETT: And, Shauna, I don't know if you have a better copy of this or not. This is the --
MS. CLARK: No, this is --
MR. PADGETT: Okay. All right.
MS. CLARK: And we talked about the

redacted part. I think I sent a letter to you regarding the content of the information that was redacted.
MR. PADGETT: Okay.
A. Okay.
Q. (BY MR. PADGETT) All right. Have you had a chance to read through this document?
A. Yes.
Q. Do you recognize it?
A. Yes.
Q. What is it?
A. It's an e-mail that was produced during discovery.
Q. And who is the e-mail to?
A. The e-mail is to me.
Q. All right. Did you actually receive this e-mail?
A. I recall, yes, receiving it.
Q. Do you have any doubts about the authenticity of the document or the information that's contained in it? In other words, has it been modified in any way?
A. No, I do not.
Q. All right. I'm going to kind of go through this and ask you a few questions about it. And one of the things we're going to do is fill in, to the best of our ability, what we think, you know, is in the missing

part.
And, actually, let me back up for a minute.
Do you have a copy of this e-mail extant upon your system somewhere?
A. I don't recall.
Q. All right. Is there any reason why you would have deleted or destroyed this document or destroyed the e-mail?
A. Not that I would have destroyed it, no.
Q. Do you have a system at Jones Day where you preserve e-mails of this nature for a certain period of time?
A. The system provides for e-mails being retained for, I believe, up to 30 days unless you move them into a folder.
Q. All right. So, in other words, your testimony is that your system itself will delete an e-mail unless it's moved into a folder?
A. Yes.
Q. All right. What system do you use of e-mail?
A. Lotus Notes.
Q. Lotus Notes. All right.
So do you recall moving this into a folder?

A. No, I do not.
Q. All right. Let's go through the e-mail.
It starts off with the word E-V-I-N, which I assume is Kevin.
A. (Moving head up and down.)
Q. All right? Would you agree with me on that?
A. I would agree.
Q. Okay. And then it says "couple of thoughts from my visit last week." And I assume it's probably "a couple of thoughts from my visit last week."
Would you --
A. Okay.
Q. -- agree with that?
A. Yes.
Q. All right. It goes on to say: "I am waiting" -- I assume it's "I am waiting" -- "to discuss with George his thoughts on my involvement should you decide to hire outside for a GIS manager."
Do you believe I read that correctly?
A. I believe you did.
Q. All right. Who is George?
A. I believe the referral is to George Gazdick.
Q. And who is George Gazdick?
A. George Gazdick was the associate director of GIS.

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Q. So that would have been the individual who was immediately below Sara White in the hierarchy of Jones Day?
A. Immediately above Sara White.
Q. Immediately above. All right.
Ms. Sara White, was she immediately above you in terms of the hierarchy?
A. No.
Q. All right. What was her position, or where was she?
A. She was regional or North America GIS manager.
Q. All right. So would it have been that there were people in between you and her?
A. There's no reporting relationship between me and Sara White.
Q. All right. What was your position at the time?
A. Office administrator for Houston.
Q. Would you have been at a peerage level? In other words, would y'all have been peers?
A. No.
Q. Well, with respect to GIS issues, who would have had the final say? You or Sara White?
A. I guess my answer to that is: It depends.
Q. All right. And what would it depend upon?
A. It would depend on what the issue was.

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Q. With respect to hiring and firing of individuals, who would have had the final say?
A. Could you be more specific?
Q. In the Houston office if someone were to make a decision with respect to hiring a GIS manager, who would have the final say?
A. The Houston office would.
Q. And that would have been you as the office administrator?
A. It would have been me and Hugh Whiting.
Q. And Hugh Whiting.
And who was Hugh Whiting at the time?
A. Parter in charge of the Houston office.
Q. Okay. All right. So why would George Gazdick and Sara White be involved in a confidential conversation with you with respect to hiring a GIS manager for the Houston office?
A. Well, I think the confidentiality is based on the fact that we don't want these types of discussions to go through the general Jones Day population.
Q. And why not?
A. Well, because hiring and firing decisions do not typically concern, if you will, the general Jones Day population.
Q. With respect to the hiring and firing

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decisions, at that point in time, was it particularized to whether or not Ms. Slaughter was going to receive that position?
A. No.
Q. All right. So are you saying that even generic staffing decisions with respect to whether or not an office has reached a head count that would support a GIS manager -- even those types of decisions are the types that you believe must be maintained as confidential?
A. Could you rephrase that for me?
Q. Well, and I apologize --
A. Restate it.
Q. -- because you've confused me. Maybe if I go back in a minute and clarify some things...
As we go on in the e-mail, it says: "I gave" -- I think that it says "I." And then I believe it's "gave him a very high-level overview (he understands the confidentiality of the conversation). But I want to discuss it further."
Okay. Is that correct?
A. Yes.
Q. All right. And we don't have any doubt -- I mean, I believe that the missing letter there is a G for gave.
Would you agree with me there?

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A. I would agree.
Q. Okay. So Ms. White is discussing with George Gazdick and you the question of whether or not you're going to go outside to hire a GIS manager.
A. (No verbal answer.)
MS. CLARK: I'm sorry. Is that a question?
A. Is that a question?
Q. (BY MR. PADGETT) Well, yes. In other words --
A. Could you read it back?
Q. -- you and Mr. Gazdick and Ms. White are having a discussion regarding hiring -- regarding going outside of Jones Day to hire a GIS manager; is that correct?
A. I -- well, let me clarify. I did not have a conversation with George Gazdick. Sara White had a conversation with George Gazdick, according to this e-mail.
Q. Okay. All right. But you had a conversation with Sara White at some point.
A. I had a conversation with Sara White about our need to provide additional support and leadership in the GIS position in Houston.
Q. When did you have that conversation?
A. I don't recall.
Q. Can you give the jury a ballpark of when you

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had that conversation?
A. 2003.
Q. Would that have been early 2003 around the time when Ms. White made her visit?
A. It's likely.
Q. All right. Did you take any notes from the conversation or make any notes to the file or anything of that nature?
A. Not that I recall.
Q. All right. But generally what you seem to recall from that time period -- and I understand it's been a while -- is that sometime in the beginning of 2003, you begin to think about the need for -- as you put it -- having more leadership and additional support in the position, in the GIS position.
A. Correct.
Q. All right. As a result of that, you had a conversation with the North American regional manager for GIS, Sara White; is that correct?
A. Yes.
Q. All right. And what can you tell the jury that you remember about that conversation?
A. Well, I don't recall the conversation.
Q. All right. You don't doubt that the conversation occurred, because Ms. White documents it in

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this e-mail, Exhibit 1, correct (indicating)?
A. That is correct.
Q. All right. And, in fact, Ms. White had enough concern about the conversation, I guess you might say, that she went and discussed it with George Gazdick, who is a level above her.
A. Yes.
Q. All right. Do you know anything about that conversation?
A. No, I do not.
Q. Did you ever get any reports about that conversation?
A. No, I did not.
Q. All right. Do you recall anything about what you said in that conversation?
A. I don't recall the conversation.
Q. You don't recall the conversation. Okay.
All right. Ms. White goes on to say: "I had a thought" -- and I think it's "had" just because it works that way -- "had a thought, though, after I left, about the situation."
Do you see where I've read that?
A. Uh-huh.
Q. I'm sorry. I apologize. I should have told you earlier: Can you answer verbally --

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A. Yes.
Q. -- for me?
Okay. And you've done a great job so far. So please continue to do that. I'm not coming down on you. I'm just...
A. I understand.
Q. All right. So: "I had a thought, though, after I left, about the situation."
Did I read that correctly?
A. Yes.
Q. All right. Why would she call it "the situation"? What is "the situation"?
A. Well, I expect "the situation" was the need to hire a manager balanced against the ratios that the firm GIS department had set forth. And "the situation" was that on paper we did not have, at the time I expect, the exact number that, according to the GIS ratios, merited an additional GIS person.
Q. Why were you thinking about this issue if at that point you didn't have the numbers that were required to justify the hiring of a GIS manager?
A. Well, I think there are a couple reasons: I think that the first reason is the continued growth that we had experienced in the Houston office and our anticipated relocation scheduled for the end of 2003 and

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the expectation that we would be hitting these numbers fairly quickly. And we wanted to be ahead of this.
Q. When did y'all make the decision that you would relocate? Was that in January of 2003?
A. It was prior to then.
Q. So, prior to January of 2003, there -- would there be some documentation that would show you were anticipating moving?
A. Well, there were lease negotiations that began as early as July, 2002.
Q. Okay. Your space was inadequate for where you were; is that correct?
A. Our space was quickly becoming inadequate.
Q. Okay. All right. So the situation is that there's a difference between the ratio -- between the number of people you had and the number of people you expected to have; is that correct?
A. Yes.
Q. Now, if you'll take a moment to read entirely through Exhibit 1 again, does she make any -- "she" being Ms. White -- make any reference to ratios or staffing like that?
A. She does not.
Q. Okay. The next sentence, I believe, reads as follows: "Have you ever considered bringing in a

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contractor for a few months to" -- and I think it's open quotation marks -- "'assist'" -- close quotation marks -- "Ava with a lot of the desk-side assistance she does, especially with the troubleshooting and repairs?"
Do you believe I read that correctly?
A. Yes, I do.
Q. All right. Had you considered bringing in a contractor to provide Ms. Slaughter with assistance?
A. I don't recall if we considered bringing in a contractor.
Q. When you say you "don't recall," does that mean that you might have done that?
A. I don't recall --
Q. All right.
A. -- whether I might have.
Q. In response to this e-mail, did you give it some thought?
A. At the time I don't recall.
Q. At any time after that?
A. If she states this in the e-mail, I considered it at the time that I read the e-mail. Whether or not I considered it after reading the e-mail, I don't recall.
Q. Okay. One of the duties of the office administrator is to make the office itself run smoothly; would that be a true statement?

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A. Yes.
Q. And if one of your critical positions -- and I assume you're going to agree with me that GIS manager or GIS whatever she was, is a critical position. If that position was not running smoothly, then one of the jobs that Jones Day gives to you, one of your responsibilities, is to fix that in some fashion, correct?
A. I think that's a fair statement.
Q. All right. So did you believe in January of 2003 that Ms. Slaughter was having trouble handling her position due to the result that -- due to the fact that she was doing a lot of desk-side assistance?
A. That was a contributing factor.
Q. Okay. What did you do to solve that?
A. Well, at different times we brought in assisting -- assistance from other offices. Prior to January of 2003, we had also hired a trainer whose secondary responsibilities were to provide desk-side support.
Q. Was that Tammy Long?
A. Yes, it was.
Q. All right. Who was involved in the hiring of Tammy Long?
A. I was. And Ava Slaughter interviewed her as

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well, as I recall.
Q. Why did you involve Ms. Slaughter in that decision-making?
A. Because Ms. Slaughter would be working closely with this person.
Q. Was Ms. Slaughter supervising Ms. Long?
A. No, she was not.
Q. All right. What was Ms. Long's job title?
A. I believe it was office trainer.
Q. Now, does an office trainer do troubleshooting and repairs?
A. This office trainer was hired to primarily be an office trainer but also to assist with troubleshooting and repairs.
Q. Okay. So she was a special-case office trainer?
A. This office trainer had secondary responsibilities.
Q. All right. So, when Ms. White made this comment about bringing in a contractor for a few months to give Ms. Slaughter some assistance, especially with the troubleshooting and repairs, I assume you just dismissed that because you had already done that by bringing in Ms. Long.
A. Well, the timing is such -- I don't recall

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exactly when Tammy left us. She may not have been employed at the time this e-mail was sent.
Q. Okay. Okay. And Ms. Long, can you describe her for the jury? Was she a white lady or a Caucasian -- or a black lady?
A. I expect she was African-American, but I don't know that.
Q. Okay. How long did she work for Jones Day?
A. One year, 15 months. I don't recall exactly. Somewhere --
Q. Okay.
A. -- between one year or 15, 16 months.
Q. Okay. Did she make a complaint of discrimination?
A. No.
Q. Did she ever make any complaints against you?
A. Not that I'm aware of.
Q. Would you have been aware of any complaints she had made against you?
A. Not necessarily.
Q. How would you describe your working relationship with Ms. Long?
A. I would describe it as a professional relationship.
Q. Did you discipline Ms. Long or have any issues

with her performance?
A. Not that I recall.
Q. Looking back at the memo, Ms. White goes on to say in the next sentence: "That would free her up to do more of the managerial and organizational things and give her the opportunity to show she can actually do it if she had a proper 'staff.'"
I believe I read that correctly. There's two of the words that are taken off: "her" and "she." Do you believe that those are the words that are there?
A. I believe they are.
Q. Okay. All right. Did you disagree with that statement?
A. I'm not sure this is a statement that merits an agreement or a disagreement.
Q. Okay.
A. That was Sara's statement.
Q. Well, I assume that you trust Ms. White with respect to decisions regarding the GIS department of Jones Day.
A. Is that a question?
Q. Yeah. I assume that you would. Would you agree with the statement that Ms. White is in a position to make opinions about the administration of GIS -- and I'm just using "GIS" generically -- GIS decisions in the

Jones Day environment?
A. Yes.
Q. All right. And she's the North American manager, regional manager; that's correct?
A. I believe it is.
Q. Okay. So, in other words, she's there to provide you with assistance in making these decisions, right?
A. She is available as a resource to help us make these decisions, yes.
Q. Okay. So, when someone who is at such a high level makes a statement with respect to an opinion -- which I think we can agree that's an opinion -- would it be within your job responsibilities to either agree with it or disagree with it?
MS. CLARK: Objection; form.
You can answer.
A. Would that be in my job responsibilities?
I -- yes.
Q. (BY MR. PADGETT) Okay. All right. And I don't completely understand why you think that question was funny. Maybe you can explain that.
MS. CLARK: Objection.
There's no evidence on the record that he thought the question was funny.

If the question is, "Mr. Richardson, was my question funny?" then you can answer that question.
Q. (BY MR. PADGETT) Well, my notation that I'll now make to the record, just so that it's clear, is that you chuckled when you answered the question.
Why did you think the question was funny?
MS. CLARK: Well, I object to that characterization of the expression -- whether it was confusion or exasperation or whatever -- as being a chuckle.
But you can answer.
A. I did not chuckle. It's an exasperating question.
Q. (BY MR. PADGETT) Okay. All right. And that's the reason why you reacted the way you did, was the question was exasperating?
A. Yes.
Q. All right. Well, I apologize for being exasperating. I'm just trying to get to the bottom of some of these things.
A. Okay.
Q. Part of your decision-making or part of your responsibility at the time was to be an office administrator. And that would include -- would it not -- making decisions about whether or not somebody

was going to run a department and how that department would function; would that be correct?
A. Yes.
Q. And specifically with respect to the GIS manager position, you had indicated -- obviously, as indicated in this e-mail to Ms. White -- that you were looking to hire, outside of Jones Day, a manager for the GIS department; is that correct?
A. This is not my e-mail to Ms. White; this is Ms. White's e-mail to me.
Q. Ms. White's e-mail to you about her conversations --
A. Yes.
Q. -- that she had with you, correct?
A. Yes.
Q. And in this we can discern that there were discussions involving the hiring of a GIS manager.
A. Correct.
Q. Included in that discussion was whether or not you were going to go outside of the firm to find someone to take the position of GIS manager.
A. Yes.
Q. All right. Prior to that time in January of 2003, who was serving in the capacity of GIS manager?
A. The Houston office did not have a GIS manager.

Q. I understand that there was no specific named GIS manager. At least that's your position. But who was serving the function of the GIS manager?

A. I'm not sure anyone was.

Q. Who did every other GIS manager in Jones Day consider to be the GIS manager of Houston?

A. I can't speak to what everybody else considered.

Q. Who was invited twice to the GIS manager meeting from the Houston office?

A. Ava Slaughter.

Q. All right. Whenever there was an e-mail that went out to GIS managers across the Jones Day firm, who received that e-mail in the U.S. -- in the Houston office?

A. I believe Ava Slaughter might have.

Q. Whenever there was a conference call of the GIS managers, who participated in that conference call for Jones Day the Houston office?

A. Sometimes Ava Slaughter would.

Q. All right. As a result do you believe that you can tell this jury one way or another about whether or not other people considered Ms. Slaughter to be in the position of GIS manager?

MS. CLARK: Objection; asked and answered.

But you can answer.

A. I cannot speak to what other people thought.

Q. (BY MR. PADGETT) Okay. So at some point you've decided that we're now going to create -- you're going to create a position of GIS manager.

A. Yes.

Q. That happened sometime in January of 2003?

A. I can't speak to when we first decided to do this. I don't recall it being January, 2003. We had an ongoing issue with providing proper support and leadership in that department. We had identified that as an issue.

Q. Well --

A. So I can't speak to the exact timing on this.

Q. Why can't you? It's an issue that you've identified, correct?

A. Correct.

Q. It's an issue that's important to you, correct?

A. Correct.

Q. It's important to every single attorney that's in the Jones Day Houston office because you're telling this jury under oath that you've got an issue with proper support and leadership.

Why can't you tell them when you first decided that you needed to hire a GIS manager?

A. I don't recall the exact timing.

Q. All right. But we know for certain that Sara White is sending you an e-mail about a conversation that you've had with her about hiring outside a GIS manager in January of 2003, correct?

A. We have this e-mail here --

Q. All right.

A. -- yes (indicating).

Q. Now, Ms. White goes on to say: "That way you'd have some quantifiable performance criteria to use when making your decision." And then the next sentence, I believe, is "just a thought."

Do you believe I've read that correctly?

A. Yes.

Q. All right. What do you think she meant when she wrote that?

MS. CLARK: Objection; form.

You can answer.

A. I don't know what Sara meant when she wrote that.

Q. (BY MR. PADGETT) What did you think when you got this e-mail?

A. I thought Sara had some concerns about how this position was being staffed and, based on her limited knowledge of the situation, she was offering some of her

thoughts.

Q. All right. What are her concerns about how the position's being staffed?

A. Well, again, I can't speak to her concerns. What I infer from this e-mail is that she knows that we do not have a GIS manager in the Houston office, she's aware of our pending move, she's aware of our growth over the last couple of years, and she wants to assist us in being prepared for future growth and for the move itself.

Q. And she's offering you some -- an option that, given her experience as a GIS manager or GIS regional manager, she believes would be a pretty good option, correct?

A. Yes.

Q. I mean, she doesn't come out and say, "Go hire outside of the firm a GIS manager"?

A. No, she does not.

Q. What she says is, "Support the person that's in the position so that you can have some quantifiable performance criteria to use to determine whether or not that lady can perform that position."

MS. CLARK: Objection; the document speaks for itself.

But you can answer.

A. Well, that's not exactly what she said.
Q. (BY MR. PADGETT) What did she say, then?
A. Would you like me to read this (indicating)?
Q. Absolutely.
A. "I am waiting to discuss with George his thoughts on my involvement should you decide to hire outside for a GIS manager. I gave him a very high-level overview. He understands the confidentiality of the conversation. But I want to discuss it further. I had a thought, though, after I left, about the situation Have you ever considered bringing in a contractor for a few months to 'assist' Ava with a lot of the desk-side assistance she does, especially with the troubleshooting and repairs? That would free her up to do more of the managerial and organizational things and give her the opportunity to show if she can actually do it if she had a proper 'staff.' That way you'd have some quantifiable performance criteria to use in making your decision. Just a thought."
Q. So what did you do to put that into effect?
A. I'm sorry. Could you be more specific?
Q. What did you do to put into effect the suggestion that the regional North American GIS manager gave you?
A. I don't recall putting anything into effect.

As I indicated earlier, we had at different times brought in additional support to assist Ava.
Q. So did you believe that you had quantifiable performance criteria to use when making your decision at that point?
MS. CLARK: I'm sorry.
Objection; vague.
But you can answer.
A. I believe that we had at the time close to two years of quantifiable performance criteria.
Q. (BY MR. PADGETT) Okay. Did you respond to this e-mail?
A. I don't recall if I did. I don't think I did.
Q. Why not?
A. I'm not sure it merited a response.
Q. And so it's your testimony that the regional manager of North America sends you an e-mail and you don't respond, not even with a, "Thanks for your thoughts," or anything like that?
A. I receive hundreds of e-mails where people are offering opinions or thoughts. I do not respond to every one of them.
Q. All right. And so it's your testimony under oath that you did not respond to this e-mail?
A. I do not recall responding to this e-mail.

Q. Where would that e-mail be if you had responded to it?
A. If Sara White saved a copy, then Sara White might have it.
Q. Did you make a search of your e-mails in an attempt to discover if you had made a response to this?
A. I searched through e-mails in response to your discovery request. I do not recall this exact e-mail. I believe this was produced by Sara White, not by Kevin Richardson, because I don't recall having a copy of this e-mail. And I don't recall the e-mail until I reviewed it or saw it as part of our discovery responses.
Q. And it's your testimony that this is one of the e-mails that you would consider not worthy of a response?
MS. CLARK: Objection.
You can answer.
A. I -- this e-mail at the time -- I did not respond to this e-mail, that I recall.
Q. (BY MR. PADGETT) And you can't tell the jury why you didn't respond to this e-mail?
A. Well, I think I've already answered this. I have -- I receive hundreds of e-mails where people offer thoughts and opinions. I do not respond to every single one of them.

Q. Well, one of the big issues at the time, though, was whether or not you were going to have a new GIS manager in the position, correct?
A. That was addressed in this e-mail, yes.
Q. All right. And this was something that Ms. White had actually made a trip from, I guess, Cleveland to come down and review.
A. I think it's unlikely that Sara White made a trip down to Houston for the purposes of discussing the GIS manager position.
Q. What would the regional manner of GIS be doing visiting the Houston office about?
A. It could be many different things. It could be to discuss the new desktop that we were going to roll out. It could be to discuss our pending move.
She made several trips. At times she came down to provide support to Ava. I don't recall exactly what this -- the purpose of the particular trip that she refers to or is -- can be inferred from this e-mail. I don't recall what the purpose of that trip was.
Q. Why were you thinking about hiring outside of Jones Day in January of 2003 for a GIS manager?
A. I think we were exploring all of our options. That includes hiring outside of Jones Day and hiring within Jones Day.

Q. All right. What did you do to disavow other people's impression that Ms. Slaughter was the GIS manager in Houston?

MS. CLARK: Objection; form.

A. At different times I spoke with some of the folks who worked at the firm GIS indicating that -- or, I guess, confirming -- I'm not sure what the right word is here -- telling them Ava was not the GIS manager and that they were doing a disservice to Ava and to the organization by referring to her as such.

Q. (BY MR. PADGETT) Did you do that in writing at any point in time?

A. I don't recall.

Q. Well, if you thought that they were doing a disservice to somebody, why didn't you do it in writing?

A. Well, I very well may have.

Q. Did you produce any of those e-mails or letters or anything of that nature to your counsel so that they could be provided to us?

A. I do not recall providing such a document.

Q. I mean, for example, you're -- as the office administrator, you're in charge of the way the Houston office is portrayed to the rest of the Jones Day family; is that correct?

A. I'm not sure that's entirely correct.

Q. Okay. Well, but you're in charge of the staffing.

A. I'm in charge of the staffing levels, yes.

Q. At the Houston office --

A. Yes.

Q. -- is that correct?

A. (Moving head up and down.)

Q. You're in charge of the way the staffing is handled, correct?

A. Yes.

Q. And so, if every other office in the Jones Day family believes that Ms. White -- or Ms. Slaughter is the GIS -- or whatever it is called -- manager, why wouldn't you send out a firm-wide e-mail, "No, she's not the manager"?

A. Well, I don't think it's appropriate to send such an e-mail worldwide to draw attention to the fact -- with respect to Ava, to go out there and stand on the rooftop and yell, "She's not the GIS manager."

Q. Well, you felt like it was a disservice to her.

A. Right.

Q. So you didn't want to stand on the rooftops and say, "Stop this travesty of labeling"? You didn't want to do her that favor?

A. I did not want to draw more attention to the

fact, I guess, again, for purposes of protecting Ava from having people suddenly calling her and saying, "I just got an e-mail from Kevin Richardson saying you're not GIS manager."

Q. But she wasn't. Isn't that what your position is here under oath, that she was not the GIS manager?

A. That's correct.

Q. So what harm would that do, Mr. Richardson?

A. Well, I think I already indicated I didn't want to draw more attention and put Ava in the spotlight.

Q. Okay. When did you join Jones Day in Houston as office administrator?

A. March, 2001.

Q. Okay. When you came in, did you make staffing changes with respect to the GIS department?

A. Not that I recall.

(Richardson Exhibit No. 2 marked.)

Q. (BY MR. PADGETT) Okay. If you'll take a look at Exhibit 2 (indicating).

MS. CLARK: Thanks. Just give it a good shove.

Q. (BY MR. PADGETT) Did you ever receive documents like this, the ISS Operations Teleconference Minutes?

A. No.

Q. If you will, look with me -- well, as you see,

it's produced to us and carries the application Jones Day 00432 and 433.

Did I read those correctly?

A. Yes.

Q. All right. So that means that these are documents produced to us by Jones Day or in connection with this lawsuit.

A. Yes.

Q. On the second page, if you will look at Item No. 6, the fourth paragraph down, tell me if I read this correctly: "Natalie also wanted to announce we have a new IS manager in the Houston office. Her name is Ava Slaughter. She is from the previous firm and is planning to join the OPS calls. Also, the Houston office is not yet JD net but is scheduled to be sometime in March."

Did I read that correctly?

A. Yes.

Q. All right, sir. So, prior to your joining the firm in the Houston office, Ms. Slaughter is identified as the IS manager; is that correct?

A. That's what this says.

Q. So, when you came in, you took steps, I assume, to change her designation as the GIS manager.

A. No, she was not the GIS manager. So I did not

have to take steps.
(Richardson Exhibit No. 3 marked.)
Q. (BY MR. PADGETT) Let me hand you what's been marked as Exhibit 3 (indicating).
Do you recognize this document?
A. Yes.
Q. What is it?
A. It's a document that we produced in response to your discovery request.
Q. Yes. And it carries Jones Day 00437 as a marker. But can you describe for the jury what the document is?
A. The document is titled Jones Day Firm Administrative Structure. It goes on to -- it is a chart. It lists the office. It lists the partner in charge of that office. It lists the office administrative partner --
Q. Okay. Uh-huh.
A. -- the office administrator, the office financial manager, the office GIS manager.
Q. All right. And can you read for the jury who is listed as the office GIS manager?
A. Specifically...
Q. For Houston.
A. Houston, Ava Slaughter.

Q. All right. Your name appears twice on this as the office administrator and as the office financial manager; is that correct?
A. Yes, it does.
Q. All right. This is dated January of 2003, correct?
A. Yes.
Q. All right. Why didn't you do something about that?
A. This is not my document.
Q. Who produced this document?
A. I do not know.
Q. You received this document, did you not?
A. I do not recall receiving this document.
Q. So, as far as you know, you never saw the Firm Administrative Structure for Jones Day?
A. I do not recall receiving this document.
Q. All right. If you had received this document, what would you have done?
A. I'm not sure I would have done anything.
Q. Why not? It's wrong, isn't it?
A. It's wrong.
Q. Okay. So why wouldn't you have done anything?
A. Well, Ava Slaughter was the single GIS contact in the Houston office. I think that that's partly what

this document represents, is who a person can reach out to to ask questions or otherwise request information, whether it's regarding office administration, financial questions, or GIS questions.
Q. So what's the difference between being the sole person and the manager?
A. Well, the manager has a staff that reports to them, typically. The sole person provides support.
Q. So, when the Jones Day Firm Administrative Structure's put out and Ms. Slaughter's identified as the office GIS manager, how many of the other ones are wrong?
A. I do not know.
Q. Do y'all have discussions, or did you -- among the office administrators as to whether or not you need to correct these sorts of things?
A. I do not recall.
Q. Okay. But in January of 2003, it's your testimony that when Ms. Slaughter is identified as the office GIS manager, that's correct -- that's incorrect?
A. That is correct.
Q. Okay. And the only reason is that she didn't have anybody reporting to her.
A. No, that's one of the reasons.
Q. Okay. What are the other reasons that it's

wrong?
A. Well, when Ava was hired, she was hired as the technical support specialist. The offer letter states that. She knew she was a technical support specialist.
Okay. I think what this document in some ways represents is a disconnect between the folks in firm GIS and the reality at the office level.
Q. Were you involved in producing the offer letter to Ms. --
A. No, I was not.
Q. -- Slaughter?
Okay. Do you know any reason why Ms. Slaughter never signed the offer letter?
A. No, I do not.
Q. Now, you said you think that it's a disconnect between the folks at GIS and the reality at the office.
What do you mean by that?
A. Well, I think that there was very likely a secretary or administrative-type person who produced this document without properly confirming titles and positions and locations. At the time, the reporting structure was such that the GIS staff reported to the office. They did not report to firm GIS.
Q. So it's your testimony that some secretary somewhere produced this chart and didn't do her job to

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check the accuracy of whether or not Ms. Slaughter was actually an office GIS manager?
A. It's my testimony that I expect that some administrative-type person produced this chart. For example, Kevin Richardson is listed as the office financial manager for Houston. Kevin Richardson was not the office financial manager for Houston.
Q. Who was?
A. We did not have a person in that position.
Q. So it should have been left blank?
A. It should have been left blank.
Q. All right. And if you don't have a position, then it should have been left blank, correct? So, if there's someone not in that position, it should have been left blank --
A. Yes.
Q. -- is that correct?
So, in other words, what should have been done was left blank with the office GIS manager?
A. For Houston, yes.
Q. This seems to happen frequently, though, in Jones Day documents from around that time -- would you agree with that -- that Ms. Slaughter is identified as the GIS manager?
A. There are documents that identify her as such, yes.
(Richardson Exhibit No. 4 marked.)
Q. (BY MR. PADGETT) All right. Let's take a look at Exhibit 4. Do you recognize this document (indicating)? I'm sorry it has two pages.
A. I recognize this, yes.
Q. All right. What is it?
MS. CLARK: No. That's your official (indicating).
THE WITNESS: Oh.
A. The document reads "Global Information Services management Team 1/9/03."
Q. (BY MR. PADGETT) All right. So in January of 2003, yet, another document comes out.
Was this one prepared by some secretarial or administrative person?
A. I don't know who produced this document.
Q. All right. But you received this one?
A. I don't recall receiving this one.
Q. Okay. But you just recognize the document?
A. I recognize the document.
Q. And here, again, we have North American management with Ava Slaughter identified as the North American management for Global Information Services; is that correct?

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A. Yes.
Q. All right. And to you that would have been incorrect?
A. Yes.
Q. Did you take any actions to fix that?
A. I don't recall receiving this document. So the answer is: no.
(Richardson Exhibit No. 5 marked.)
Q. (BY MR. PADGETT) All right. Now, let's take a look at Exhibit 5 and ask you if you recognize this document (indicating).
A. I recognize this document.
Q. All right. And what is it?
A. The document is titled GIS North America Office Address Listing, GIS Manager, December 11, 2002.
Q. And this is an official Jones Day document prepared at or near the time of December 11, 2002?
A. I expect, yes.
Q. Okay. In Houston, who is listed as the manager of the GIS, I guess, division?
A. Ava Slaughter is identified under the Houston listing.
Q. And, again, that's incorrect?
A. Yes.
Q. And, again, you took no actions to fix this?

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A. Correct.
Q. All right. Correct me if I'm wrong, though: They don't send this sort of information to the office administrator.
A. Not on a regular basis, no.
Q. Okay. If you had seen it, would you have taken any action?
A. Yes.
Q. What would you have done?
A. With respect to this document, I probably would have called Sara White and said, "Sara, this document is listing Ava as the manager. You and I both know she's not the manager."
Q. So was that part of your conversation that you had in January of 2003 when she visited your office?
A. I don't recall the conversation in January of 2003.
Q. Well, did you make it known to Sara at the time in January, 2003, that Ava was not the manager?
A. I had made it known to Sara prior to January of 2003. I don't recall exactly when. At different times I had made it known to different people in GIS that Ava was not the manager.
Q. Who did you make it known to in GIS that Ava was not the manager?

A. I recall Sara White. I believe George Gazdick. I believe Sue Klingensmith.
Q. And who is Sue Klingensmith?
A. Sue Klingensmith was the administrative support person. I don't recall her exact title.
Q. Manager?
A. In some way she was the secretary to the director and the associate director, I believe.
Q. And how did you make it known to them?
A. I expect I called them up on the phone and said that, "This document or the information that you're sending is not accurate. You're listing Ava Slaughter as the GIS manager in Houston; and she, in fact, is not the GIS manager in Houston. She is the sole contact in Houston. So, to the extent that it's appropriate to include her on these listings, you should continue to do so. But please note she's not a manager."
Q. Well, why would it be appropriate to include her on those listings of managers if she was not a manager?
A. Well, because I believe that what certain of these documents are trying to do is identify the GIS person in each office that questions could be addressed to.
Q. It doesn't say that anywhere on those

documents, though, does it?
A. No, it does not.
Q. All right. It doesn't say "sole contact" anywhere.
A. No, it does not.
Q. It could very easily. There's plenty of room on the document for it to say "sole contact, not manager."
A. Yes, it could.
(Richardson Exhibit No. 6 marked.)
Q. (BY MR. PADGETT) All right. And, in fact, if you look at Exhibit 6, you see that there's parentheses around a lady by the name of Marla Sheets; is that correct?
A. Yes.
Q. What do you think that means?
A. I do not know.
Q. Certainly, there could have been an asterisk or something like that which would have identified that Ava Slaughter was not a manager but a sole contact; would that be correct?
A. Yes.
Q. And nobody did that anywhere despite your making phone calls to people, including Sue Klingensmith, the secretary to the director.

A. On this document that's correct.
Q. All right. I assume that these phone calls were made sometime right after you joined in March, 2001.
A. I don't recall when the phone calls were made. I expect they were made throughout 2001; 2002; and, perhaps, 2003.
Q. Okay.
A. I -- and I will also say that it was not a reoccurring phone call.
Q. One of the things that you do as the office administrator -- do you approve travel for your people who are in that office?
A. Sometimes, yes.
Q. All right. Did you approve travel for Ava Slaughter?
A. Yes.
Q. And that's because she was your direct report at the time?
A. Yes.
Q. You approved travel for her to attend the GIS management meeting, correct?
A. Yes.
Q. Why did you do that?
A. Because I wanted the Houston office to be

represented at this meeting.
Q. Even though you're sending someone to a managers' meeting but they're not a manager; is that correct?
A. Correct.
Q. All right. We know that she did attend the 2002 meeting because you approved that travel; is that correct?
A. Yes.
(Richardson Exhibit No. 7 marked.)
Q. (BY MR. PADGETT) All right. If you'll take a look at Exhibit 7, this is a listing of the attendees of the 2002 GIS Annual Managers' Meeting, correct (indicating)?
MS. CLARK: Excuse me, Tom. Is this part of 7 (indicating)?
MR. PADGETT: Oops.
MS. CLARK: It's just on mine.
A. I'm sorry. Would you repeat the question?
Q. (BY MR. PADGETT) Certainly. Is this a listing of the people who attended the GIS Annual Managers' Meeting?
A. It appears to be, yes.
Q. All right. And if you'll look on the second page of this document at Jones Day 00456, Ms. Slaughter

is listed --

A. Yes, she is.

Q. -- as Houston office, correct?

A. Yes.

Q. Okay. Now, if you go down there, it says "additional for D&B's."

What does that mean?

A. I don't know.

Q. Okay. But it's obvious that there's a spot that they could have listed people who were not managers but who were attending; is that correct?

A. Yes, there is room on the document to do that.

Q. All right. And so one of the things that I assume you did was, when you sent Ms. Slaughter to this, you identified that she was not actually the manager for the Houston office, she was just the GIS person.

A. I don't recall if I -- if I did that.

Q. Okay.

A. And this document also represents several names where the person is not a manager but they're listed on here.

Q. Okay. Who would that be?

A. Terry Crum was the director at the time.

Q. You don't think he would count as being a manager?

A. Well, it's not his title.

Q. He's the chief knowledge officer and director of GIS, the head grand pooh-bah of the Global Information Services; and he's not considered a manager?

A. Not by title.

Q. Okay.

A. Nor is George Gazdick, Brian Gillam.

Q. Okay. Do y'all --

A. Sue Klingensmith. Sue Klingensmith's not a manager. She's listed on here.

Q. Okay. All these people were invited to the Annual Managers' Meeting; is that correct?

A. Yes.

Q. Okay.

A. Well, let me -- I don't know that for a fact. This document represents those who were going to attend or did attend.

Q. All right.

(Richardson Exhibit No. 8 marked.)

Q. (BY MR. PADGETT) I'm going to hand you what's been marked as Exhibit 8 and ask you to take a look at it (indicating).

Can you see that this is a photograph of the Global Information Services' Annual Managers' Meeting for 2002?

A. Yes.

Q. All right. And Ms. Slaughter is there?

A. Yes.

Q. All right. Can you identify any other African-Americans in this photograph?

A. This is a photocopy of a photograph. I cannot tell if there are other African-Americans in this photo.

Q. Okay. What sort of quantifiable performance criteria did you use to decide that Ms. Slaughter would not be hired as the GIS manager?

A. I think it was for the reasons that had been identified and stated in the evaluations: including effective communication, the ability to prioritize competing demands, and lack of organization. I think that contributed to the decision.

Q. Well, and what I'm asking you specifically is: What is it that made your decision? What did you decide upon as being the reasons that you didn't hire Ms. Slaughter as the manager?

A. Well, there were other candidates that we decided were better candidates.

Q. What reasons did you have that you identified as problems with Ms. Slaughter's performance?

A. It was lack of effective communication with her administrator. It was her inability to prioritize

competing demands and her lack of organization which contributed to that.

Q. What did she do with respect to poorly communicating with you?

A. Well, Ava would rarely update me on issues by e-mail. She would, on a regular basis, express message me on the telephone system by leaving me long, rambling messages instead of coming to my office or actually calling me on the phone to have a discussion. And I felt that that approach to communication was inefficient.

Q. Okay. So I want to make sure. She rarely updated you. But when she did, she updated you with long, rambling voice mail?

A. Yes.

Q. Okay. What about y'all's weekly meetings?

A. We had weekly meetings.

Q. And in the weekly meetings did she update you, or what did y'all talk about in those meetings?

A. I typically had -- I typically had a list of things that I wanted to discuss with her. I believe that she typically might have brought some things that she wanted to discuss with me.

Q. Did you find those to work?

A. Some meetings were more effective than others.

Q. When was it that you were having problems with being updated if you were having meetings with her on a weekly basis?

A. Well, I think that the nature of the position or the nature of GIS support provides for many different demands that occur on a daily basis. And if we're only meeting once a week, then we may only be hitting on the hot topic of that day or the day before.

Q. Well, you came in with the agenda; is that correct? You said you had a list of things that you brought in.

A. I believe we both had a list of things that we wanted --

Q. Okay.

A. -- to discuss.

Q. And would you forget the list for three days before, or would you come in there with a list of things that you wanted to talk about from the whole week?

A. I think typically it was a list of whatever the pressing demands were, which could go back a day or two or a week or a month.

Q. You were in charge of those meetings, correct?

A. I called those meetings, yes.

Q. So you could set the tone for those meetings.

A. Yes.

Q. So, if Ms. Slaughter was not effectively communicating with her (sic), I assume, as a good manager, you told her that she was not effectively communicating with you.

MS. CLARK: Objection; form.

You can answer.

A. At different times I addressed with Ava her ineffective communication.

Q. (BY MR. PADGETT) And ineffective communication with respect to the GIS position, in specific, is a critical component, correct?

A. Effective communication is critical, yes.

Q. So, if somebody is in the position of a TSS or whatever you considered her to be and she's not effectively communicating with her (sic), why didn't you fire her?

A. Her performance did not merit termination.

Q. So it's okay for her to be ineffective in communication -- which is, what you say, a critical component -- but you don't terminate her?

A. Correct.

Q. Okay.

MR. PADGETT: I need to take a break.

MS. CLARK: That's fine.

(Recess taken.)

Q. (BY MR. PADGETT) Mr. Richardson, we took a little break here. Is there anything about your previous testimony that you need to clarify or change?

A. No.

Q. All right. You had mentioned before the break that there were issues that you had with Ms. Slaughter's ability to communicate.

Can you describe for the jury any specific examples of her failure to communicate and that affecting her performance?

A. I think it's a -- I think it's a style more than it is anything very specific.

Q. Okay. So it's a perception on your part; is that correct?

A. No, I think that she was not as direct at times as I would like her to be, as efficient, if you will.

Q. Do you mean in the word choice that she's using, the way she speaks?

A. No, not necessarily the way she speaks. But a question -- I would ask her a question. And she might -- and it might be a yes-or-no question, and I would not get a yes-or-no answer. And I would -- it was just a drawn-out process.

Q. So, for example, you would ask her some question that would have a yes-or-no answer to it; but

if she doesn't answer "yes" or "no," then she's failing to communicate with you. Is that what you're saying?

A. That's not what I said, no.

Q. Okay. Can you describe it in more detail so I can understand what it is that you felt her style caused problems with?

A. It was inefficient.

Q. Okay. And how was it inefficient?

A. That if you ask a yes-or-no question, typically you'd expect a yes-or-no answer; and it would be a fairly quick response, give and take.

Q. Okay.

A. Now, I understand that not every question that may be asked in a yes-or-no manner is going to merit a yes-or-no reply. But in Ava's case I think it was -- everything took a little longer at times than I thought it needed to take.

Q. All right. Did you feel that she was giving you fluff?

A. No, I think it was more of just Ava's personality.

Q. Okay. All right. So what you had an issue with was her personality, not necessarily with the content of what she was saying?

A. I didn't --

MS. CLARK: Objection.
A. -- say that.
Q. (BY MR. PADGETT) Okay. Well, then, you've confused me, yet, again. And I apologize.
I asked you if she was giving you fluff.
And you said, "No, it was her personality"; is that correct? Is that correct, the way that you just said it a moment ago?
A. I believe it is, yes.
Q. All right. So, if it wasn't that her content was poor, what was it?
A. It was the efficiencies, if you will, of responding to questions.
Q. Okay.
A. And --
Q. So you felt that she should have spoken more quickly or more to the point?
A. At times, yes.
Q. All right. And so as a result you felt that she did not deserve the position of GIS manager.
A. I think it was a contributing factor.
Q. Okay.
A. When we talk about communication, it's also just the straightforward communication: When you complete tasks as appropriate, communicate to the person

who had requested the task to be completed. In some ways it was, you know, do what you say; and say what you do.
Q. Would you consider that to be a quantifiable performance category that you can put down into some quantifiable measure?
A. Not always.
Q. Okay. It's really more of a subjective analysis on your part.
A. Yes.
Q. Okay. Can you give the jury a specific example of when she failed to communicate to you something of importance?
A. Well, there was a time when Ava Slaughter went on vacation. And we had arranged to bring in support from another office. In this case it was a person coming down from the Dallas office. And we had discussed that since she would be gone for a week -- while this person was expected to handle desk-side support for issues that came up, there would be downtime. And we would want to have him work on specific tasks
And Ava and I discussed creating a list, providing it to him before she went away so that when he arrived in Houston, if he wasn't busy providing

desk-side support, he could follow up on these projects.
Q. Okay.
A. She did not provide that list.
Q. And what did you do about that?
A. I discussed it with Ava when she returned. I recall discussing it with Ava.
Q. All right. Did you discipline her for it?
A. No, I did not.
Q. Okay. Why, then -- I mean, it's a pretty serious matter. You told her specifically to do something; and she didn't do it; is that correct?
A. I did not tell her to do it. We discussed having this available for this guy to focus on at the time that he was not providing desk-side support.
Q. All right. So you didn't make it a specific, "Ms. Slaughter, you will do this"; and then she failed to do it?
A. True.
Q. Is it possible that she didn't understand that you wanted this done in a very clear fashion?
A. I think that's unlikely.
Q. Okay. Is it possible that other issues came up and, since you had not made this a direct order, it was prioritized lower than you felt it should have been?
A. I think that's unlikely.

Q. Okay. So you think that you made it clear that this was an order but that she didn't understand it to be an order?
A. No, this was not an order. This was something that Ava and I discussed because it was intended to benefit Ava as well as the office if, while she was gone, we could have somebody else step in and keep the train running, if you will: to do computer builds as appropriate, to move equipment around. That's one less thing that she has to focus on when she returns from her vacation.
Q. Who was it that you brought in to replace her? Was it another technical support specialist?
A. I don't -- I don't know his title. His name is Jimmy Lashley.
Q. And when did this happen?
A. Well, I think it was either late summer 2001 or 2002.
Q. Okay. So is that --
A. I'm not exact on the dates. I honestly don't remember.
Q. Okay. So it could have been in the summer of 2001 or in the summer of 2002.
A. It could have been the spring. I honestly don't remember. At different times when Ava went on

vacation, we would provide support from another office to come in and cover.
Q. And every time did she fail to provide a list of items for the individual to carry out?
A. I don't know.
Q. Okay. Well, I mean, this was important for you the first time it happened, correct?
A. It was -- I recall this happening.
Q. Okay. And the next time that she went on vacation, did it happen again?
A. I don't recall.
Q. Did you make it a big deal the second time?
A. I don't recall.
Q. Why would you make it a big deal the first time but not the second time?
A. Well, it could -- I don't recall if I made a point of it. I don't recall if we discussed it the second time or third time or fourth time.
At the time our office was growing. So when you have 50 users, there's likely more downtime for somebody to address specific projects than when you have 60 or 70 users. It's likely that as we grew, we expected -- there was less downtime. The person would be busy providing desk-side support.
Q. When you say "it's likely," is that what you

recall as being the reason why you emphasized this as an inability to communicate one time and one time only?
A. Can you state that again, please?
Q. Certainly. And I apologize. Sometimes my questions are inartful. And I try not to.
But what you've told me is that this was an issue of failure to communicate; is that correct?
A. If that's the way you phrased the question, then, yes.
Q. Well --
A. This is what we've been discussing.
Q. Well, let me back up for a minute, then, and just make it real clear.
This was an issue of performance for Ms. Slaughter.
A. Yes.
Q. An issue of poor performance for Ms. Slaughter, correct?
A. Yes.
Q. One that you feel is so important that, when I asked you for an example, you gave this as an example for the jury --
A. Yes.
Q. -- to understand the nature of Ms. Slaughter's performance.

A. Yes.
Q. All right. You don't remember when it happened, whether it was in the summer of 2001 or the summer of 2002; is that correct?
A. I don't recall. That's correct.
Q. And it's important enough for you to think of or important enough for you to remember that you brought it out to the jury so that they can understand the nature of Ms. Slaughter's performance; is that correct?
A. Yes.
Q. All right. In addition to not remembering when it happened, you don't remember bringing it up again when Ms. Slaughter took another vacation; is that correct, too?
A. I don't recall bringing up this particular issue when she next went on vacation. It doesn't mean we did not have a discussion about having a project list available for the person who was coming in to cover in her absence. I just don't recall having that specific conversation.
Q. Did Mr. Lashley -- as a result of Ms. Slaughter's failure to provide a list for him, did he spend time doing nothing?
A. I expect he had more downtime because he was not given a list of projects to pursue.

Q. Okay. And you don't remember his position in the Dallas office, what his --
A. He worked in the GIS department. I do not know his title.
Q. Okay. What would be an example of Ms. Slaughter's inability to prioritize?
A. Ava had difficulty assimilating into a large organization. She was accustomed to working for a small law firm where the first priority was always serving the managing partner. The second priority was serving the next senior partner and so forth and so on.
In an organization our size with the number of lawyers that we have, we typically have many different competing demands that, I guess, require a more subjective analysis of what's the first priority, what's the second priority, what's the third priority.
There was a time in July, 2002, where we had been -- I recall having just gone through a desktop upgrade, something to that effect. And prior to that time many of our users had been experiencing crashes, crashes that in many ways were attributed to having unauthorized software on their computer.
After the desktops were rebuilt, all -- as part of that process, all unauthorized software was removed from each user's PC. I wanted to get a message

out in front of all users as soon as the desktop was rebuilt telling them that they should not be installing unauthorized software and, "Here are the reasons and the effect if you do."

I asked Ava to provide me a memo with, I guess, the facts, if you will, the technical side of what happens when you install unauthorized software. It was important that this happen timely. As soon as the desktop was rebuilt, we get this message in front of the user. Every day that goes by that they don't have this message or have not been told the reasons that we shouldn't do this is a day that somebody could be installing unauthorized software.

Q. Uh-huh. Okay.

A. As I recall, it took Ava two or three weeks to get me this information, two or three weeks in which users were already out there installing unauthorized software.

And when I asked Ava about it, she -- I recall her saying something to the effect of, "You don't know what else I've been doing."

Q. Okay.

A. Which at the time probably was true because she didn't tell me what else she was doing.

Q. Y'all weren't having these weekly meetings at

this point?

A. I don't recall --

Q. Okay.

A. -- if we were at that time.

Q. Okay. If she had been having the weekly meetings with you, though, at this time, would she have been telling you or...

A. I expect she would have.

Q. Okay. So, when you say it was probably true that you didn't know what she was doing, is that an accurate statement?

A. That was my statement.

Q. Okay.

A. Right.

Q. If you were having weekly meetings with her, is it accurate for you to say that you didn't know what she was doing?

A. No.

Q. Okay. Okay. All right. So go ahead. You were at the point where you don't know what else --

A. Well --

Q. -- she's been doing. That's what she says to you.

A. Okay.

Q. And then...

A. My -- you had asked about priorities.

Q. Exactly.

A. This was a very important priority to me and to the office. Ava did not give this the proper attention in the proper amount of time because she put other priorities in front of it.

Q. Okay. Well, how did you communicate this to her?

A. How did I communicate...

Q. The importance of this priority or -- I'm sorry -- the priority of this activity.

A. I recall discussing it at the time that we were either approaching the desktop rebuild; when the rebuilds were going through, were occurring; or soon thereafter. I expect it was on a one -- it was part of a one-on-one meeting. It may have been during a weekly meeting. It may have been during a very specific desktop upgrade meeting.

Q. Okay.

MS. CLARK: Tom, before your next question, let's take a quick break.

MR. PADGETT: Okay.

(Recess taken.)

Q. (BY MR. PADGETT) Obviously, you consider this a very important priority because it would undo the work

that Ava had done previously; is that correct?

A. It would -- well, let me be clear. If this was, in fact, a desktop upgrade, I expect we had other support in the office working with Ava to make this happen. It was very serious because if we did not get this message out and people started installing unauthorized software, PCs started crashing, that would create additional work for Ava.

Q. Now, in your handbook, which I assume every member of Jones Day is required to read and sign that they've read, correct?

A. I don't recall if there's a requirement to sign off acknowledging you've read it.

Q. Okay. But in the handbook doesn't it talk about installing unauthorized software on your Jones Day computer?

A. Without looking at that particular section, I don't know the answer.

Q. You're not for sure. Okay.

A. I expect it does address that somehow.

Q. All right. And do you think that, you know, in 2002 people were actually installing a bunch of unauthorized software on their computers? Was that a real issue at Jones Day?

A. I think the answer is: yes.

Q. And that's why it was such a priority, if you had just put in a bunch of new computers, to get a memo out to them saying, in essence, "Don't put unauthorized software on your computer."
A. That was important, yes.
Q. Is that the function of the GI -- or the technical support specialist, or would that be the function of the office administrator?
A. Well, I think it's important that the GIS person and the office administrator work together to get that message out.
Q. Now, you say "GIS person."
What sort of level are you talking about, a GIS person?
A. Well, in the case of our office, the single GIS person.
Q. Which would be Ms. Slaughter?
A. Ava Slaughter.
Q. All right. You felt that this was so important that you had to actually discipline her over this, correct?
A. There was a counseling report, yes.
Q. And that's a disciplinary action.
A. Yes, it is.
Q. All right.

(Richardson Exhibit No. 9 marked.)
Q. (BY MR. PADGETT) If you'll take a look at Exhibit 9 (indicating).
Sorry about that.
Is this the Counseling Report that you prepared?
A. Yes, it is.
Q. Now, it says: "On numerous occasions Ava has failed to complete assigned tasks in a timely fashion." But you didn't list those; is that correct?
A. That is correct.
Q. The only one that you talked about was this memo on the unauthorized software, well, and also an inventory; is that correct?
A. Yes.
Q. Okay. So there are two things on here with this counseling report.
A. Yes.
Q. Okay. What was the result of this counseling report?
MS. CLARK: Objection; form.
You can answer.
A. Could you be more specific?
Q. (BY MR. PADGETT) Well, I mean, do y'all have any sort of progressive disciplinary, you know, actions

at Jones Day?
A. Well, the answer to that is: yes.
Q. Okay. So this is one step in the process?
A. Yes.
Q. And you can also use these to deny people promotions or to demote them; is that correct?
A. I think that these would be considered as part of any job change, if you will.
Q. Okay. When you were providing information to the people who were making the decision with respect to whether or not Ms. Slaughter would be hired as the GIS manager in November of 2003 or September of 2003, you used this counseling report; is that correct?
A. I don't believe so, no.
Q. You brought it into your consideration, though, didn't you?
A. I could not separate the three years or two and a half years of experience I had with Ava.
Q. And you had had those two and a half years of experience; is that correct?
A. Yes, I had.
Q. Okay. Did you find that Ms. Slaughter responded to this counseling session in an appropriate way?
A. No, it was not appropriate.

Q. Why was it not appropriate?
A. Well, when I sat down -- when I asked Ava to join me to discuss this, I was just appalled by the way she reacted. It was far from professional.
Q. What did she do?
A. She was -- she was irate. Instead of discussing these issues in a professional way, she, you know, first said, "Give it to me. I'll sign it." I asked her to read it. Then she refused to sign it. Then she stood up and wagged her finger at me, accused me of trying to drive out former Bayko Gibson employees. I was left speechless.
Q. Why didn't you fire her on the spot?
A. (No verbal answer.)
Q. You've used words like "appalled," "inappropriate," "unprofessional."
Why didn't you fire her?
A. I didn't think that was the appropriate action.
Q. You were going to leave Ms. Slaughter in the position -- despite the fact that she was having this what I assume you would call an inappropriate reaction, you just kept her in the position.
A. Yes.
Q. Why?
MS. CLARK: Objection; asked and answered.

Q. (BY MR. PADGETT) You can still answer.
MS. CLARK: You can still answer.
A. I didn't think it was appropriate.
Q. (BY MR. PADGETT) Okay. So what did you do to fix the problem?
MS. CLARK: Objection; form.
You can answer.
A. I met with Ava a week, ten days later. I don't recall exactly when.
Q. (BY MR. PADGETT) Okay.
A. Sat down. And she had time to calm down. And we, again, discussed what I had wanted to discuss.
I shouldn't say "we, again, discussed." We, for the first time, discussed the reason for the counseling report, I guess, to a greater level.
Q. Uh-huh. Do you think that Ms. Slaughter's reaction was to a perception that you were picking on her?
A. I can't speak to what she was thinking.
Q. Okay. Well, did you have a talk with her about what she was thinking, why she reacted this way?
A. Well, she made it clear when I presented this to her -- clear to me, I should say -- what she was thinking: that I was trying to drive out Bayko Gibson employees.

Q. Were you trying to drive out --
A. And as a former Bayko Gibson employee, I assume she felt that she was part of that. I mean, she was part of that.
Q. Were you trying to drive out former Bayko Gibson employees?
A. No.
Q. Okay. You didn't have any reason to react to them that way, "them" being the former Bayko Gibson employees.
A. I was not trying to drive out Bayko Gibson employees.
Q. All right.
(Richardson Exhibit No. 10 marked.)
Q. (BY MR. PADGETT) If you'll take a look at Exhibit 10, is this your private recitation or memorandum on the counseling session that you had with Ms. Slaughter (indicating)?
A. Yes, it is.
Q. All right. You didn't actually give this document to her?
A. No, I did not.
Q. You didn't give it to anyone; you just kept it in a file?
A. It went into her personnel file.

Q. Well, does it say "to personnel file"; or does it say "to file"?
A. It says "to file."
Q. All right. Does that mean that it was part of her official personnel file, or is this part of --
A. This was made part of her official personnel file (indicating).
Q. Okay. But she didn't get to see this before it went into her personnel file.
A. No, she did not.
Q. All right. And if she were to ask for a copy of her personnel file, this would not be in it.
A. It would be in it.
Q. She would be able to receive this?
A. She would not be able to make a copy. She is able to review her personnel file at any time.
Q. Okay. Do you maintain a separate file on employees?
A. Can you be more specific?
Q. Sure. There's a category of files called "drop files" that managers maintain.
Are you familiar with that term?
A. I've heard it, yes.
Q. Okay. Is that part of the drop file that you maintained on Ms. Slaughter?

A. This is in her personnel file (indicating).
Q. Okay.
A. This is not in the drop file.
Q. All right. What's in the drop file?
MS. CLARK: Objection.
You can answer.
A. I'm not sure "drop file" is a term I would use. I was using your terminology.
I have a file of memos on different issues that I keep, different personnel issues involving different employees.
Q. (BY MR. PADGETT) Have you provided that to the attorneys in this case?
A. I only -- I have provided the documents that pertain to Ava Slaughter.
Q. What do you call the file so I don't --
A. I don't really call it anything.
Q. Okay.
A. It's a secure file.
Q. Secure file. Okay.
Have you given all the documents in there, in your secure file, with respect to Ava Slaughter to the lawyers in this case?
A. Yes, I have.
Q. Okay. How many other employees have entries in

the secure file?
A. Five, six. I honestly -- I'm not sure.
Q. Okay.
A. I think it's around five or six.
Q. All right. Who are they?
A. Chris Patterson, Tina Campbell, Greta Rodriguez. That's who I can recall right now.
Q. Okay. We're going to leave some blanks in here. If you can fill in the other names of the people who you have information in your secure file. Okay?
A. Sure. (Information requested:_______________ _______________________________________ _______________________________________)
Q. Who is Chris Patterson?
A. Chris Patterson was the former docket and records manager.
Q. When you say "former" --
A. He's no longer employed by Jones Day.
Q. Okay. Okay. It's not that he's dead or anything?
A. No.
Q. He's just no longer there. Okay.
And when did he work, from when to when?
A. He came -- he was a former Bayko Gibson employee. He became an employee of Jones Day on

January 1st or January 2nd, 2001.
Q. Okay.
A. He left, I think, the spring of 2002.
Q. And what was his race?
A. He was Caucasian.
Q. All right. Tina Campbell, who is she?
A. Tina Campbell was the former facilities manager at Jones Day.
Q. When you say "former," again, somebody who no longer works for Jones Day.
A. She no longer works for Jones Day.
Q. And what were her dates of employment? Was she also starting in January?
A. She also started in January, 2001 --
Q. Okay.
A. -- until November, 2005.
Q. And what was her race?
A. African-American.
Q. And Greta Rodriguez, who --
A. Greta Rodriguez also started January, 2001, until August, 2005.
Q. Okay. What was her position?
I'm sorry. I didn't ask you that.
A. Financial assistant.
Q. And was she a former Bayko Gibson?

A. Yes, she was.
Q. Okay. You didn't have anything against these Bayko Gibson people; is that correct?
A. That is correct.
Q. Okay. Greta Rodriguez, was she Hispanic?
A. No.
Q. Okay. Was she African --
A. She's Caucasian.
Q. Caucasian. Okay.
It makes it easier if I just ask you and you tell me.
Okay. All right. You believe that there are at least two other people and possibly three other people that you have information in your secure file on; is that correct?
A. There may be.
Q. Okay. In addition to Ms. Slaughter, right?
A. Yes.
Q. Okay.
A. Well --
Q. The reason why I'm asking is: Are you including her in the five or six?
A. I think I'm including her in the five or six.
Q. Okay.
A. Without having that directory in front of me,

I'm guessing a little bit how many names. Some of these names go back, and some of these documents go back several years.
Q. Right. Okay. What do you put in your secure file?
A. I put in the secure file -- sometimes it's memos that go to a personnel file. Sometimes it's a memo to myself.
Q. What sorts of memos? In other words, can you describe the content?
A. Well, those typically involving personnel issues.
Q. Okay. Do you put into the secure file memos involving personnel issues that congratulate an employee for a job well-done?
A. I don't know the answer to that.
Q. Do you put --
A. Well, let me -- let me state -- let me back that up.
I don't know if I have put that type of memo in there.
Q. Would you say that the majority of the memos you put in there document a poor performance by an employee?
A. I would say that the types of documents in

there typically are addressing disciplinary issues.
Q. All right. In general, you would say you would not put into your secure file a memo or something that would be congratulatory towards an employee or note a particularly good job done on some issue; is that correct?
A. That is correct.
Q. All right.
A. Those types of documents are maintained in the I-MANAGE library, I expect.
Q. All right.
A. I'm less concerned about security on those than I am about memos that address disciplinary issues.
Q. And I've received a number of documents from Jones Day. How would I identify a document that has been maintained in your secure file?
A. By looking at the document itself?
Q. Right.
A. I'm not sure you could.
Q. Okay. I mean, would it be, for example, something that -- you know, when we look at Exhibit 10, we can see that it's got some identifying numbers up in the right -- in the left-hand corner, correct?
A. Yes.
Q. And it says "to file." And this is a document

that's maintained in your secure file; is that correct?
A. This was -- yes, it is in my secure file.
Q. Okay. Are the secure file documents -- do they carry this sort of format where you double-space them and they have some sort of identifying numbers up at the top and the date and then they're signed by you?
A. They may.
Q. Okay. Did you have any particular format that you used? In other words, if I were to go through all these documents that we were given, if I find another one that looks like this, I know it's going to be in your secure file.
A. No.
Q. How, then, am I supposed to tell what's in the secure file and what's not?
A. Ask.
Q. Okay. So you know in your head what documents were in the secure file?
A. I can't speak -- I can't say that, sitting here today, I could recite an index of every document in my secure file.
Q. Do you keep a list of the documents that are in the secure file?
A. No.
Q. Can you give us your best guess of what

documents were in the secure file with respect to Ava Slaughter?
A. I think it's the documents that we have produced to you that are in memo form, as opposed to e-mail form or in Exhibit 9 form.
Q. Okay.
A. And this is -- Exhibit 10 is what I describe as memo form (indicating).
Q. Okay. Okay. All right. Well, that'll give us a little bit better understanding of them.
All right. You were involved in the decision to hire Ms. DelRisi (sic)?
A. DelRiesgo.
Q. DelRiesgo. Okay.
You were involved in the decision to hire Ms. DelRiesgo?
A. Yes, I was.
Q. All right. What was it about Ms. DelRiesgo that made her a better candidate than Ms. Slaughter?
A. I think there were a number of areas that were important to me with Ms. DelRiesgo. She had been a Jones Day employee for, I believe, close to ten years. She started off as a legal secretary, as I recall. So she had a very good grasp of end user needs and support requirements. She had institutional knowledge, if you

will, by being a tenure employee. She worked in an office that experienced growth that was similar to what the Houston office was going through and expected to go through for years to come. She was -- she communicated clearly, concisely. She demonstrated initiative in the interview process by coming with some -- a listing of sorts, if you will, of things that a GIS manager should do and should focus on. So those types of things influenced me.
Q. Okay. Did you explore with Ms. Slaughter any previous experience she had had working with a large company?
A. When I interviewed Ms. Slaughter in September or October, 2003, we discussed her experience at -- we discussed the experience that she had listed on her resume. And I believe that includes a larger organization.
Q. Was that the only time, though, that you had spoken with her about working at a large organization?
A. I don't recall. I think we had other conversations about this.
Q. Well, you had criticized Ms. Slaughter previously for her -- I guess, her understanding of how to prioritize in an organization the size of Jones Day; is that correct?

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A. I had -- "criticize" is the word you choose to use. I had identified that Ava had difficulty integrating into an organization our size with the many different offices and the many different firm, I guess, GIS-type departments.

Q. I don't understand that. Can you explain that to me? I'm sorry.

A. What don't you understand?

Q. Well, I don't understand what it is that you're saying you identified as difficulty, specifically with respect to your use of the word "firm" -- "many different firm GIS departments." What does that mean?

A. The firm GIS -- I just want to differentiate between office GIS at each local office where there's a direct reporting relationship at the time to the office administrator, versus firm GIS, which is more -- at the time was responsible more for the structure, if you will, of technology as a whole and how it is incorporated or otherwise adopted into -- or used by the firm.

The experience that Ava had at Bayko Gibson was just Bayko Gibson, just that small law firm where she was the technology person. Now she was being asked to work with many other different technology folks, both in other offices as well as at the firm

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level.

Q. But her duties, as far as you were concerned, did not include managing or interacting with these other firm GIS departments, correct?

A. She did interact with firm GIS departments. She was not the manager.

Q. Who was the manager?

A. There was not a manager in place.

Q. Was that normal Jones Day operational, I guess, protocol for there not to be a GIS manager in an office of that size?

A. I think that's unlikely. But I can't speak to what is normal GIS protocol.

Q. So it's unlikely that there would not be a GIS manager in each of the offices; is that what your testimony is?

A. I think -- I think it's unlikely, yes.

Q. Okay. Was that part of your job as office administrator to bring the Jones Day Houston office into compliance with the protocols of the Jones Day firm environment?

A. As much as possible, yes.

Q. Well, why couldn't you do it with respect to Ms. Slaughter?

A. I think you're asking me why I didn't designate

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Ava Slaughter as the GIS manager in order to be compliant with firm standards. Is that what you're asking me?

Q. It sounds like a good question, yes.

A. Okay. I just want to be clear.

Ava Slaughter did not demonstrate to me that she had the necessary qualities to be the GIS manager. And I would rather be noncompliant -- using your word -- rather than put somebody into a position that would be ultimately to the detriment of the office and the law firm.

Q. So why, then, did it take you two years to decide that you needed a real -- as you were saying, somebody who would not be a detriment to the law firm GIS manager?

A. Sometimes things take a long time.

Q. That's your answer, "Sometimes things take a long time"?

A. That's my answer.

Q. Okay. What were you busy with that you couldn't make a decision about this?

A. There were many things that we were busy with. We were building a growing practice. We were looking at new space. We had the part of the growing practice, the related demands of building the appropriate staffing

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levels, items like that.

Q. Okay. So you just let the office be without a GIS manager during that whole time period from March of 2001 until September of 2003, correct?

A. Yes.

Q. And you had discussions in January of 2003 with the lady from Cleveland about whether or not you were going to hire outside a GIS manager; is that correct?

A. We had discussions about hiring a GIS manager.

Q. All right. And then in September of 2003 you had discussions with Ms. Slaughter because that's the point in time in which you posted the position of GIS manager.

A. Yes.

Q. What made you decide to do it at that time?

A. At that time we were coming close to our relocation, the practice was growing, the new lawyers from the 2003 graduation graduating class had joined the firm, and the timing was such.

Q. How many discussions did you have with Mr. Whiting about issues relating to the GIS position?

A. I had many different discussions with Mr. Whiting.

Q. How many did you have?

A. I don't recall how many.

Q. Were those documented in any way?
A. Not that I recall.
Q. Did you send any e-mails to Mr. Whiting about discussions with respect to the GIS manager?
A. I may have.
Q. All right. Do you know what happened to those e-mails?
A. No, I do not.
Q. Would you have given those e-mails to your counsel in this case?
A. Yes, I would have.
Q. Are they e-mails that you believe have been deleted or destroyed?
A. If they were not provided to the lawyer, it's because they no longer exist on our system.
So the answer is: Yes, they were likely autopurged from our system.
Q. Why would they have been autopurged from your system but not others autopurged?
A. Every e-mail that comes into me and to others, I expect, a decision is made whether to delete it at that time, to save it into a folder, or let it sit in the in-box and perhaps let it autopurge by itself.
So, in this case if I were sending the e-mail, then I wouldn't necessarily have a copy. If I

were receiving the e-mail or a reply to my e-mail, it may merit being saved. It may not.
Q. Okay. But you believe that you did, in fact, send e-mails discussing the GIS manager position with Mr. Whiting.
A. I think you're -- maybe you could read back the question. But I think you originally asked whether I had sent him an e-mail regarding GIS, not specifically the manager.
Q. Okay. All right. Well, then let me back up for a minute. And I'll ask you whatever question you feel comfortable with on that issue.
Did you send e-mails to Mr. Whiting discussing the GIS department at the Houston office of Jones Day?
A. I probably did.
Q. All right. Do you recall any of those e-mails?
A. No, I do not.
Q. Have you saved any of those e-mails?
A. I don't think I have.
Q. In those e-mails would Ms. Slaughter have been discussed?
A. It's possible.
Q. And she would have been discussed because you would have had to address the issue of why you have not

placed a GIS manager in head of the -- or at the head of the GIS department for at least two yeas.
A. That's not what the e-mail would have discussed.
Q. Okay. What would the e-mails have discussed?
A. A hypothetical e-mail may be something like "Hugh, I would like to discuss with you the staffing levels of the GIS department in Houston."
Q. Okay.
A. And that is probably a typical e-mail.
Q. All right. And then you would have gotten a response back from Mr. Whiting.
A. Maybe.
Q. All right. These would have been e-mails that would have been relevant to the questions in this case, correct, with respect to staffing levels and who is going to be hired and who is the position -- in the position of manager of the GIS department, correct?
A. Yes, they would be relevant.
Q. All right. Do you know why we have not received any e-mails either from you or Mr. Whiting discussing the GIS staffing or management levels?
A. We have produced to you the documents that we have.
Q. All right. And --

A. I don't -- I cannot say for certain that these e-mails exist. I communicate with Mr. Whiting most often in person. We don't typically exchange e-mails back and forth on different subjects.
Q. All right.
A. I acknowledged earlier that I may have sent him an e-mail earlier saying, "Let's discuss staffing." I can't swear that I did send him that e-mail, nor can I deny that I sent him an e-mail --
Q. Okay.
A. -- to that extent.
Q. Fair enough. Fair enough. And there are people that you have most of your conversations with not in e-mails or letters or anything, but in person. All right?
Now, can you tell the jury when was the first time that Ms. Slaughter's name came up as a candidate for the GIS manager position?
A. Ava applied for the job.
Q. Okay. So --
A. And I expect that may have been the first time it came up.
Q. So your testimony is: The very first time that she was considered for the position of manager of the GIS department was in September of 2003?

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A. That may be the first time that it came up in that context.
Q. All right. Prior to that time were there any discussions about her serving as the manager?
A. Discussions with...
Q. With Hugh Whiting.
A. Serving -- I don't believe there were.
Q. Why not?
A. Because she wasn't serving as the manager.
Q. Well, you've identify and you told this jury a little bit earlier that -- and correct me if I'm wrong. I may have gotten confused -- that she had not demonstrated the qualities that you felt were necessary to be a GIS manager.
A. Correct.
Q. And so it's your testimony that you never discussed that issue with any other person in the firm until it was time to consider her for the position in September of 2003?
A. I don't recall discussing it prior to September, 2003.
Q. All right. When you had discussions with Mr. Whiting prior to December of -- or September of 2003 with respect to the GIS department, what did y'all talk about?

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A. We talked about the continued growth of the office, the pending relocation, and whether it was appropriate at this time to hire somebody into the manager position given that we were not at the exact number that the firm ratio recommended.
Q. And those were the only issues that you ever talked about?
A. To the best of my knowledge.
Q. Did you ever go to Mr. Whiting and complain about the performance of Ms. Slaughter?
A. I had indicated to Mr. Whiting -- I recall the July, 2002 counseling session I had with Ava and her reaction. I believe I shared that with Hugh Whiting. I thought that was important. I can't say that I documented that conversation. But I think I would have shared that with him.
Q. Is that the only time that you had a conversation about Ms. Slaughter with Mr. Whiting other than when you had the conversations in September of 2003?
A. It's the only one that I recall. In my position I discuss many employees at many different times with Mr. Whiting as the situation merits. It's possible that we had discussed Ava Slaughter prior to July, 2002, and after July, 2002, before September,

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2003. I can't recall.
Q. All right. And just to make sure: You haven't done any e-mails, as far as you know, about this; and you don't remember the discussions with Mr. Whiting about Mr. Slaughter prior -- Ms. Slaughter prior to September of 2003?
A. I don't recall -- to answer your first question: No, I do not have e-mails.
Q. Okay.
A. To answer your second question: I do not recall whether I had conversations with Mr. Whiting. But I have conversations with him quite often about many different employees. It's possible her -- she was one of them.
Q. All right. But you don't remember any of those conversations specifically other than you think that you might have talked about July of 2002?
A. Correct.
Q. All right.
MR. PADGETT: Are you at a good break point? Are you ready to take your lunch?
MS. CLARK: It's your deposition. That's --
MR. PADGETT: Okay. All right.
MS. CLARK: If you're at a good point, I'm

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at a good point.
MR. PADGETT: Okay. Let's take a break.
(Lunch recess taken.)
MR. PADGETT: Let's go back on the record.
Q. (BY MR. PADGETT) Mr. Richardson, we've taken our lunch break. And do you have any changes or amplifications you need to make to your previous testimony?
A. No, I do not.
Q. All right. Before the break we mentioned that you were involved in the hiring of Ms. DelRiesgo.
What salary was she hired at?
A. $75,000.
Q. Was that more or less than what Ms. Slaughter was making at the time?
A. It was more than Ms. Slaughter's base pay.
Q. All right. Has there been another person hired to fill the position that Ms. DelRiesgo vacated?
A. Yes.
Q. And who is that?
A. Scott Nielsen.
Q. And when was he hired?
A. September, 2005.
Q. So, Ms. --
A. I'm sorry. Let me think about this for a